

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Legislative Meeting
915 Emmet Street, Administrative Building
July 25, 1999
10:00 a.m.

Closed Session: Yes

Called to Order: Meeting was called to order at 10:13 a.m.

Opening Ceremony: Opening Ceremony was conducted by Joe Mitchell

Council Present: Chairman Frank Ettawageshik, Vice-Chair Shirley Oldman, Secretary Barry Laughlin, Treasurer Rita Shananaquet, Councilor Alice Yellowbank, Councilor George Anthony and Councilor Dorothy Gasco. **Newly Elected Tribal Chairman** Gerald V. Chingwa and **Tribal Councilors** Susan Wysocki and Janet Shomin.

Council Absent: None.

Staff Present: See attached list

Guests: See attached list

Swearing In of New Tribal Chairman and Tribal Council Members:

Oath of Office was administered by Chief Tribal Judge Michael Petoskey.

Recess: Called for at 11:13 a.m. Formal pictures taken and luncheon was served.

Motion made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank** to nominate **Councilor Shananaquet** as **Tribal Council Treasurer**.
Nominations Closed

Vote: 6 Yes 0 No 1 Abstained (**Councilor Shananaquet**) 0 Absent

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Wysocki** to nominate **Councilor Gasco** as **Tribal Council Secretary**.

Nominations Closed

Vote: 6 Yes 0 No 1 Abstained (**Councilor Gasco**) 0 Absent

Motion Carried

Motion made by **Councilor Gasco** and **Supported** by **Councilor Wysocki** to nominate **Councilor Yellowbank** as **Tribal Council Vice-Chairwoman**.

Nominations Closed

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Vote: 6 Yes 0 No 1 Abstained (**Councilor Yellowbank**) 0 Absent

1 **Motion Carried**

2
3 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to
4 adopt the Agenda as presented and amended.

5 **Vote:** 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shananaquet**)

6 **Motion Carried**

7
8 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank**
9 to postpone adoption of the Tribal Council Minutes of July 11, 1999 until the
10 Tribal Council receives a clear copy from Barry Laughlin.

11 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

12 **Motion Carried**

13
14 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor**
15 **Shomin** to accept into the record the telephone poll dated June 28, 1999, to
16 rescind the LTBB Tribal Council action by phone poll regarding action on US v
17 MI, dated June 21, 1999.

18 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

19 **Motion Carried**

20
21 **Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor**
22 **Anthony** to accept into the record the telephone polling dated July 01, 1999,
23 approving the Odawa Trails July 1999 edition.

24 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

25 **Motion Carried**

26
27 **Motion** made by **Councilor Anthony** and **Supported** by **Councilor**
28 **Shananaquet** to postpone the LTBB Election Statute until the next legislative
29 session on August 22, 1999.

30 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

31 **Motion Carried**

32
33 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor**
34 **Yellowbank** to postpone the Indian Education Commission Statute until the next
35 legislative session on August 22, 1999, after our Attorney James Bransky has
36 had a chance to review.

37 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

38 **Motion Carried**

39
40 **Motion** made by **Councilor Anthony** and **Supported** by **Councilor Wysocki** to
41 postpone the Tribal Employment Rights Office (TERO) Statute until we have
42 something from James Bransky to review at the next legislative session
43 scheduled for August 22, 1999.

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45 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

46 **Motion Carried**

1 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank**
2 to return to the Trust Fund Board, the draft of the LTBB Trust Fund Board Statute
3 for their review. The Trust Fund Board should make recommendations for the
4 next legislative session scheduled for August 22, 1999.

5 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

6 **Motion Carried**

7
8 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor**
9 **Shananaquet** to postpone the signing of the Special Contract with Dykema
10 Gossett until there is clarification on the wording.

11 **Motion Withdrawn**

12
13 **Motion** made by **Councilor Anthony** and **Supported** by **Councilor Shomin**
14 authorizing the Tribal Chairman to immediately investigate, for clarification
15 purposes, the background and need for the Special Counsel Contract with
16 Dykema Gossett.

17 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

18 **Motion Carried**

19
20 **Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor**
21 **Shananaquet** to refer the Enrollment Policies and Procedures back to the
22 Enrollment Commission for action.

23 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

24 **Motion Carried**

25
26 **Motion** made by **Councilor Anthony** and **Supported** by **Councilor**
27 **Yellowbank** to enter into closed session for the purposes of land discussion.

28 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

29 **Motion Carried**

30
31 **Closed Session:** Called at 3:14 p.m.

32
33 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor**
34 **Anthony** to go out of closed session and return to open session.

35 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

36 **Motion Carried**

37
38 **Open Session:** Called at 5:07 p.m.

39
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41 **Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor Shomin**
42 to extend **Resolution #06279906** regarding the revision of the "Mackinac City
43 Documents", with date correction from May 15, 1999 to August 14, 1999.

44 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

45 **Motion Carried**

Motion made by **Councilor Gasco** and **Supported** by **Councilor Anthony** to renew the contract with the Tribal Administrator, Dora Willis, for one (1) year with a step increase and to authorize Chairman Chingwa to sign said contract.

Vote: 6 Yes 1 No (**Councilor Shananaquet**) 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Shananaquet** to direct the Tribal Chairman to approve and sign a letter written by Catherine Backus, Human Services Director, stating that the Tribal Welfare Program is authorized to represent the Tribe in Indian Child Welfare matters in state courts.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Wysocki** and **Supported** by **Councilor Shomin** to authorize the signing of the Ameritech contract for voice mail for Tribal offices.

Vote: 4 Yes 3 No (**Councilors Yellowbank, Shananaquet and Anthony**) 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shananaquet** and **Supported** by **Councilor Yellowbank** to authorize payment from the Development Account in the amount of \$13,322.40 to the I.R.S. for the Federal Unemployment Tax Act (FUTA) FY'1996 for under payment or non-payment.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shananaquet** and **Supported** by **Councilor Anthony** for payment from the Development Account in the amount of \$35,074.00 to Rehmann Robson along with a request that they waive the finance charges.

Vote: 6 Yes 1 No (**Councilor Shomin**) 0 Abstained 0 Absent

Motion Carried

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Motion made by **Councilor Anthony** and **Supported** by **Councilor Shomin** to postpone any action on the Tax Agreement with the State of Michigan until **Chairman Chingwa** is brought up to date and can report on this to the rest of the Tribal Council.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Shananaquet** to authorize the signing of the contract between the LTBB Health Department and Riley J. Turcott, O.D.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

1 **Motion Carried**

2
3 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Wysocki** to
4 authorize **Chairman Chingwa** to sign the letter of support for the Institute of
5 American Indian Arts (IAIA) for the continuation of funding for FY 2000.

6 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

7 **Motion Carried**

8
9 **Motion** made by **Councilor Anthony** and **Supported** by **Councilor**
10 **Yellowbank** to accept List A of persons eligible for enrollment for membership to
11 the LTBB as requested and approved by the Enrollment Office and Commission.

12 **Vote:** 6 Yes 1 No (**Councilor Shananaquet**) 0 Abstained 0 Absent

13 **Motion Carried**

14
15 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to
16 accept List C of person(s) relinquishing membership from the LTBB. Letters of
17 understanding from said person(s) submitted.

18 **Vote:** 6 Yes 1 No (**Councilor Shananaquet**) 0 Abstained 0 Absent

19 **Motion Carried**

20
21 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor**
22 **Anthony** to approve the payback of \$16,935.19 to the United States Department
23 of Agriculture (USDA) for over payment of program funds.

24 **Vote:** 6 Yes 1 No (**Councilor Shomin**) 0 Abstained 0 Absent

25 **Motion Carried**

26
27 **Motion** made by **Councilor Gasco** and **Supported** by **Councilor Yellowbank**
28 to approve the stipend and mileage for **Councilor Anthony** to attend the Five
29 Tribes meeting of July 26/27, 1999, from the Development Account.

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31 **Vote:** 6 Yes 0 No 1 Abstained (**Councilor Anthony**) 0 Absent

32 **Motion Carried**

33
34 **Motion** made by **Councilor Anthony** and **Supported** by **Councilor Wysocki** to
35 approve travel, mileage, per diem and stipends for up to four (4) Tribal Council
36 members to attend the MAST (Mid-West Alliance of Sovereign Tribes) Summer
37 Quarterly meeting. Meeting to be held on August 25/26, 1999, in Hinckley,
38 Minnesota, with funds to be taken from the Development Account.

39 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

40 **Motion Carried**

41
42 **Motion** made by **Councilor Anthony** and **Supported** by **Councilor**
43 **Shananaquet** to adjourn the Legislative Session of the Tribal Council for July 25,
44 1999, at 7:00 p.m.

45 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

46 **Motion Carried**

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These Minutes have been read and approved as written :

Dorothy Gasco, Tribal Council Secretary

Date